IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1729 OF 2005

Amjad Ali Habibullah .. Petitioner

versus

Ideal Academy Trust & ors .. Respondents

Mr Shaikh Nasir Masih for Petr
Mr Neel Helekar for Respt nos. 1 & 2
Respt nos. 3 and 4 present in person
Ms Imam Calcuttawala for Respt nos. 1,3 and 4.

CORAM : D.G. KARNIK, J

DATED : 19th July 2005.

P.C.

1. Heard learned counsel for the petitioner and learned counsel for the respondent nos. 1,3 and 4. Also heard respondent nos. 3 and 4 who are present in person. None others are present though served. This writ petition is against the interlocutory oreder dated 29th March 2005 passed by the School Tribunal rejecting the petitioner’s application for stay. The petitioner is not occupying the post of

headmaster since June 2004 when he went on medical leave on account of by-pass surgery. In view of this it would not be appropriate at this stage to interfere in the interlocutory order and re-appoint the petitioner to the post which he is not occupying for a period of nearly one year. However, interest of justice would be served by directing the School Tribunal to decide the main appeal of the petitioner expeditiously. Hence, I pass the following order:

> " Writ Petition is rejected. The School Tribunal is however directed to decide the appeal bearing Appeal No.34 of 2004 as expeditiously as possible and in any event within a period of 3 months from the date of receipt of writ of this court.

D.G.KARNIK, J